

United States Bankruptcy Court
Middle District of Pennsylvania

In re:
Christopher M. Shearer
Fedra C Shearer
Debtors

Case No. 17-01877-JJT
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0314-5

User: karendavi
Form ID: pdf002

Page 1 of 2
Total Noticed: 42

Date Rcvd: Jun 22, 2017

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jun 24, 2017.

db/jdb
4917924 +Christopher M. Shearer, Fedra C Shearer, 128 Green Chapel Lane, Cresco, PA 18326-7204
4917922 +ARS Account Resolution, 1643 Harrison Pkwy, Ste 100, Fort Lauderdale, FL 33323-2857
+Account Resolution Service, 1643 North Harrison Pkwy, Bldg H Ste 100,
Fort Lauderdale, FL 33323-2857
4917925 +Barclays Bank Delaware, 125 S West St, Wilmington, DE 19801-5014
4917926 +Beneficial Financial I Inc, 17461 Derian Avenue, Suite 200, Irvine, CA 92614-5820
4917927 Berkheimer, P.O. Box 905, Bangor, PA 18013-0905
4924692 Berkheimer Assoc-Agt Pocono Mtn SD Paradise Twp, c/o David R. Gordon, Esq., 1883 Jory Road,
Pen Argyl, PA 18072
4917928 +C-Tech Collections, 5505 Nesconset Highway, Ste 200, Mount Sinai, NY 11766-2026
4917929 +Capital One, PO Box 30285, Salt Lake City, UT 84130-0285
4917930 +Capital One Bank USA NA, P.O.Box 30281, Salt Lake City, UT 84130-0281
4917931 +Chase Bank USA NA, P.O. Box 15298, Wilmington, DE 19850-5298
4917932 +Chase/BankOne Card Serv, PO Box 15298, Wilmington, DE 19850-5298
4917933 +Citibank NA, P.O. Box 769006, San Antonio, TX 78245-9006
4917934 +Commonwealth Financial Systems, 245 Main St., Scranton, PA 18519-1641
4917935 +Debt Recovery Solutions, 6800 Jericho Turnpike, Ste 113E, Syosset, NY 11791-4401
4917936 Emergency Care Service, of PA PC, PO Box 740021, Cincinnati, OH 45274-0021
4917937 +Florida Hospital, 601 East Rollins Street, Orlando, FL 32803-1273
4917940 +Genzyme Genetics, PO Box 223041, Pittsburgh, PA 15251-2041
4917941 +Great Lakes Higher Education, P.O. Box 7860, Madison, WI 53707-7860
4924733 +Michael, Louis & Associates Inc, PO Box 1062, Moon Township, PA 15108-6062
4917944 +Michaels, Louis & Assoc, P.O. Box 1062, Coraopolis, PA 15108-6062
4917945 +Midland Funding LLC, 2365 Northside Dr #300, San Diego, CA 92108-2709
4917946 +NAPA At Pocono Medical Ctr, 206 E Brown St, East Stroudsburg, PA 18301-3094
4933338 +NCB Management Services, Inc., One Allied Drive, Trevose, PA 19053-6945
4917947 +National Recovery Agency, 2491 Paxton Street, Harrisburg, PA 17111-1036
4918257 +PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
4917948 +Pocono Medical Center, 206 East Brown Street, East Stroudsburg, PA 18301-3094
4917949 +Pocono Medical Center lsts, 206 East Brown Street, East Stroudsburg, PA 18301-3094
4917952 Powell Rogers & Speaks, PO Box 61107, Harrisburg, PA 17106-1107
4917953 +Sears/CBNA, P.O.Box 6282, Sioux Falls, SD 57117-6282
4917956 Verizon, P.O. Box 15124, Albany, NY 12212-5124
4917957 +Wells Fargo Dealer Service, P.O. Box 1697, Winterville, NC 28590-1697

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

4917923 +E-mail/Text: bkprpt@retrievalmasters.com Jun 22 2017 18:50:52 AMCA,
4 Westchester Plaza Suite 110, Elmsford, NY 10523-1615
4917938 +E-mail/PDF: gecsedirecoverycorp.com Jun 22 2017 18:47:59 GE Capital Retail Bank/Synchrony,
P.O. Box 960061, Orlando, FL 32896-0061
4917939 +E-mail/PDF: gecsedirecoverycorp.com Jun 22 2017 18:47:53 GE Money Bank, PO Box 103104,
Roswell, GA 30076-9104
4917942 E-mail/Text: bnckohlnotices@becket-lee.com Jun 22 2017 18:50:44 Kohl's/Capital One,
P.O. Box 3115, Milwaukee, WI 53201-3115
4917943 E-mail/Text: camanagement@mtb.com Jun 22 2017 18:50:47 M & T Bank, PO Box 900,
Millsboro, DE 19966
4928261 E-mail/Text: camanagement@mtb.com Jun 22 2017 18:50:47 M&T Bank, P.O. Box 840,
Buffalo, NY 14240-0840
4917947 +E-mail/Text: Bankruptcies@nragroup.com Jun 22 2017 18:51:05 National Recovery Agency,
2491 Paxton Street, Harrisburg, PA 17111-1036
4917950 E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Jun 22 2017 18:53:27
Portfolio Recovery, 120 Corporate Blvd, Norfolk, VA 23502
4917951 E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Jun 22 2017 18:53:49
Portfolio Recovery Assoc., 120 Corporate Blvd, Ste 100, Norfolk, VA 23502
4917954 +E-mail/PDF: gecsedirecoverycorp.com Jun 22 2017 18:47:59 SYNCB/Lowes, P.O. Box 965005,
Orlando, FL 32896-5005
4917955 E-mail/PDF: gecsedirecoverycorp.com Jun 22 2017 18:47:54 SYNCB/Old Navy DC,
P.O. BOX 965005, Orlando, FL 32896-5005

TOTAL: 11

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

cr* +PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021

TOTALS: 0, * 1, ## 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

***** BYPASSED RECIPIENTS (continued) *****

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jun 24, 2017

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on June 22, 2017 at the address(es) listed below:

Charles J DeHart, III (Trustee) dehartstaff@pamd13trustee.com, TWecf@pamd13trustee.com
James Warmbrodt on behalf of Creditor M&T BANK bkgroup@kmlawgroup.com
Timothy B. Fisher, II on behalf of Joint Debtor Fedra C Shearer donna.kau@pocono-lawyers.com
Timothy B. Fisher, II on behalf of Debtor Christopher M. Shearer donna.kau@pocono-lawyers.com
United States Trustee ustpregion03.ha.ecf@usdoj.gov

TOTAL: 5

LOCAL BANKRUPTCY FORM 3015-1

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

IN RE: :
CHRISTOPHER M. SHEARER : CHAPTER 13
FEDRA C. SHEARER : CASE NO. 5-17-bk-
 :
 : CHAPTER 13 PLAN
Debtors : (Indicate if applicable)
 : (1) MOTION TO AVOID LIENS
 : () MOTION TO VALUE COLLATERAL
 :
 : (X) ORIGINAL PLAN
 : () AMENDED PLAN
 : (Indicate 1st, 2nd, 3rd, etc.)

YOUR RIGHTS WILL BE AFFECTED

If you oppose any provision of this plan you must file a timely written objection. This plan may be confirmed and become binding on you without further notice or hearing unless a written objection is filed before the deadline stated on the Notice issued in connection with the filing of the plan.

PLAN PROVISIONS

DISCHARGE: (Check one)

- (X) The debtor will seek a discharge of debts pursuant to Section 1328(a).
- () The debtor is not eligible for a discharge of debts because the debtor has previously received a discharge described in Section 1328(f).

NOTICE OF SPECIAL PROVISION: (Check if applicable)

- (X) This plan contains special provisions that are not included in the standard plan as approved by the U.S. Bankruptcy Court for the Middle District of Pennsylvania. Those provisions are set out in Section 8 of this plan. Other than to insert text into the designated spaces or to expand the tables to include additional claims, the preprinted language of this form may not be altered. This does not mean that the Debtor is prohibited from proposing additional or different plan provisions in Section 8. The Debtor may propose additional or different plan provisions or specify that any of the provisions will not be applicable, provided however, that each such provision or deletion shall be set forth herein in Section 8.

1. PLAN FUNDING AND LENGTH OF PLAN

A. Plan Payments

1. To date, the Debtor(s) has paid \$0.00 (enter \$0 if no payments have been made to the Trustee to date). Debtor(s) shall pay to the Trustee for the remaining term of the plan the following payments. If applicable, in addition to monthly plan payments, Debtor(s) shall make conduit payments through the Trustee as set forth below. The total base plan is \$17,568.00, plus other payments and property stated in Section 1B below:

Start	End	Plan Payment	Estimate Conduit Payment	Total Payment
6/2017	5/2020	\$488.00		\$488.00
			Total Payments	\$17,568.00

2. If the plan provides for conduit mortgage payments, and the mortgagee notifies the Trustee that a different payment is due, the Trustee shall notify the Debtor and the attorney for the Debtor, in writing, to adjust the conduit payments and the plan funding accordingly. Debtor(s) is responsible for all post-petition mortgage payments due prior to the initiation of conduit mortgage payments.
3. Debtor(s) shall take appropriate action to ensure that all applicable wage attachments are adjusted to conform to the terms of the plan.
4. CHECK ONE: ☐ Debtor(s) is at or under median income
- ☒ Debtor(s) is over median income. Debtor(s) calculates that a minimum of 100% must be paid to valid unsecured, non-priority creditors in order to comply with the Means Test.

B. Liquidation of Assets

1. In addition to the above specified plan payments, Debtor(s) shall dedicate to the plan proceeds in the estimated amount of \$_____ from the sale of property known and designated as _____. All sales shall be completed by _____, 20____. If the property does not sell by the date specified, then the disposition of the property shall be as follows:

2. Other payments from any source(s) (describe specifically) shall be paid to the Trustee as follows: _____

3. The Debtor estimates that the liquidation value of this estate is \$_____. (Liquidation value is calculated as the value of all nonexempt assets after the

deduction of valid liens and encumbrances and before the deduction of Trustee fees and priority claims.)

2. SECURED CLAIMS

A. Pre-Confirmation Distributions. Adequate protection and conduit payments in the following amounts will be paid by the Debtor to the Trustee. The Trustee will disburse these payments for which a proof of claim has been filed as soon as practicable after receipt of said payments from the Debtor.

Name of Creditor	Address	Account #	Estimated Monthly Payment
N/A			\$
			\$

The Trustee will not make a partial payment. If the Debtor makes a partial plan payment, or if it is not paid on time and the Trustee is unable to pay timely a payment due on a claim in this section, the Debtor's cure of this default must include any applicable late charges.

Upon receipt, Debtor shall mail to the Trustee all notices from mortgagees including statements, payment coupons, impound and escrow notices, and notices concerning changes of the interest rate on variable interest rate loans. If any such notice informs the Debtor that the amount of the payment has increased or decreased, the change in the plan payment to the Trustee will not require modification of this plan.

B. Mortgages and Other Direct Payments by Debtor. Payments will be made outside the plan according to the original contract terms, with no modification of contract terms, unless otherwise agreed to by the contracting parties, and with liens retained. All mortgage and other lien claim balances survive the plan if not avoided or paid in full under the plan.

Name of Creditor	Description of Collateral	Contractual Monthly Payment	Principal Balance of Claim
M & T Bank	128 Green Chapel Lane Cresco PA 18326	\$944.13	\$140,530.00
Wells Fargo Dealer Service	2015 Hyundai Santa Fe	\$595.00	\$32,135.00

C. Arrears The Trustee shall distribute the amount of pre-petition arrearages set forth in the allowed proof of claim to each secured creditor set forth below. If the Debtor or the Trustee objects to a proof of claim and the objection is sustained, or if the plan provides for payment of amounts greater than the allowed proof of claim, the creditor's claim will be paid in the amount allowed by the Court.

Name of Creditor	Description of Collateral	Pre-petition Arrears to be Cured	Interest Rate	Total to be paid in plan

D. Secured Claims Paid According to Modified Terms. These amounts will be paid in the plan according to modified terms, and liens retained until entry of discharge. The excess of the creditor's claim will be treated as an unsecured claim. Any claim listed as "NO VALUE" in the "Modified Principal Balance" column below will be treated as an unsecured claim. THE LIENS WILL BE AVOIDED OR LIMITED THROUGH THE PLAN OR DEBTOR(S) WILL FILE AN ADVERSARY ACTION TO DETERMINE THE EXTENT, VALIDITY, AND PRIORITY OF THE LIEN (Select method in last column):

Name of Creditor	Description of Collateral	Modified Principal Balance	Interest Rate	Total Payment	Plan* or Adversary Action

*** "PLAN" INDICATES THAT THE DEBTOR PROPOSES TO AVOID OR LIMIT THE LIEN OF THE CREDITOR IN THIS PLAN. CONFIRMATION OF THE PLAN SHALL CONSTITUTE A FINDING OF VALUATION PURSUANT TO SECTION 506(a). NO ADVERSARY COMPLAINT OR MOTION WILL BE FILED AND THE LIEN WILL BE AVOIDED BY A CONFIRMATION ORDER UPON DISCHARGE. IF THE CREDITOR WISHES TO CONTEST THE AVOIDANCE OF THE LIEN, THE CREDITOR MUST FILE AN OBJECTION TO THIS PLAN. OTHERWISE CONFIRMATION OF THE PLAN WILL AVOID THE LIEN.**

E. Other Secured Claims: (Including conduit payments)

Name of Creditor	Description of Collateral	Principal Balance of Claim	Interest Rate	Total to be paid in plan
			%	\$

F. Surrender of Collateral: Debtors(s) surrenders the following assets to secured creditors. Upon confirmation of the plan, bankruptcy stays are lifted as to the collateral to be surrendered. This provisions does not prejudice a creditor's right to move to lift the stay prior to confirmation.

G. Lien Avoidance. The debtor moves to avoid the liens of the following judicial and/or nonpossessory, non-purchase money liens of the following creditors pursuant to Section 522(f) (this section should not be used for statutory or consensual liens such as mortgages):

Name of Creditor	Description of Collateral
Michael Louis & Associates	Personal and real property

H. Optional provisions regarding duties of certain mortgage holders and servicers. Property of the estate vests upon closing of the case, and Debtor elects to include the following provisions. (Check if applicable)

☐ Confirmation of the plan shall impose an affirmative duty on the holders and/or servicers of any claims secured by liens, mortgages and/or deeds of trust on the principal residence of the Debtor to do the following:

(1) Apply the payments received from the Trustee on the pre-petition arrearage, if any, only to such arrearage. If the plan provides for an allowed payment of post-petition arrearages as set forth in Section 2C, apply those payments to only the post-petition arrearages.

(2) Deem the pre-petition arrearage as contractually current upon confirmation of the plan, for the sole purpose of precluding the imposition of late payment charges or other default-related fees and services based solely on the pre-petition default or defaults.

(3) Apply the post-petition monthly mortgage payments made by the Debtor to the post-petition mortgage obligations as provided for by the terms of the underlying mortgage note. Late charges may be assessed on post-petition payments as provided by the terms of the mortgage and note.

3. PRIORITY CLAIMS

A. Allowed unsecured claims entitled to priority under section 1322(a) will be paid in full unless modified under Section 8:

Name of Creditor	Total Payment
Berkheimer	\$4,500.00

B. Administrative Claims:

(1) Trustee Fees. Percentage fees payable to the trustee will be paid at the rate fixed by the United States Trustee, not to exceed 10%.

(2) Attorney fees. Check one box:

☒ In addition to the retainer of \$.00 already paid by the Debtor, the amount of \$2,650.00 in the plan. **The amount of \$1,350.00 is to be paid by Arag Legal Services. upon confirmation of the plan.** This represents the unpaid balance of the presumptively reasonable fee specified in L.B.R. 2016-2.

☐ \$_____ per hour, to be adjusted in accordance with the terms of the written fee agreement between the Debtor and the attorney. Payment of such lodestar compensation shall require a separate fee application with the requested amount of compensation approved by the Court.

(3) Other administrative claims.

Name of Creditor	Total Payment

4. **UNSECURED CLAIMS**

A. Claims of Unsecured Nonpriority Creditors Specially Classified. Includes unsecured claims, such as co-signed unsecured debts, that will be paid in full even though all other unsecured claims may not be paid in full.

Name of Creditor	Reason for Special Classification	Amount of Claim	Interest Rate	Total Payment
N/A		\$	%	\$
		\$	%	\$

B. All remaining allowed unsecured claim shall receive a pro-rate distribution of any funds remaining after payment of the other classes.

5. **EXECUTORY CONTRACTS AND UNEXPIRED LEASES.** The following executory contracts and unexpired leases are assumed (and pre-petition arrears to be cured in the plan) or rejected (so indicate):

Name of Creditor	Description of Collateral	Monthly Payment	Interest Rate	Pre-petition Arrears	Total Payment	Assume/Reject
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N/A		\$	%	\$	\$	

6. REVESTING OF PROPERTY: (Check One)

(X) Property of the estate will vest in the debtor upon confirmation. (Not to be used with Section 2H)

() Property of the estate will vest in the debtor upon closing of the case.

7. STUDENT LOAN PROVISIONS

A. Student loan provisions. This plan does not seek to discharge student loan(s) except as follows:

(note: If you are seeking to discharge a student loan(s), do not complete this section.

8. OTHER PLAN PROVISIONS

A. Include the additional provisions below or on an attachment. **(NOTE: The plan and any attachment must be filed as one document, not as a plan and exhibit.)**

Debtors will pay the student loan outside the plan.

9. ORDER OF DISTRIBUTION:

Payments from the plan will be made by the Trustee in the following order:

Level 1: DEBTOR'S ATTORNEY
 Level 2: _____
 Level 3: _____
 Level 4: _____
 Level 5: _____
 Level 6: _____
 Level 7: _____
 Level 8: _____

If the above Levels are not filled-in, then the order of distribution of plan payments will be determined by the Trustee using the following as a guide:

Level 1: Adequate protection payments.
Level 2: Debtor's attorney's fees.
Level 3: Domestic Support Obligations.
Level 4: Priority claims, pro rata.
Level 5: Secured claims, pro rata.
Level 6: Specially classified unsecured claims.
Level 7: General unsecured claims.
Level 8: Untimely filed unsecured claims to which the Debtor has not objected.

GENERAL PRINCIPLES APPLICABLE TO ALL PLANS

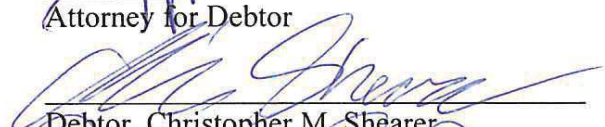
All pre-petition arrears and cramdowns shall be paid to the Trustee and disbursed to creditors through the plan.

If a pre-petition creditor files a secured, priority or specially classified claim after the bar date, the Trustee will treat the claim as allowed, subject to objection by the Debtor. Claims filed after the bar date that are not properly served on the Trustee will not be paid. The Debtor is responsible for reviewing claims and filing objections, if appropriate.

Dated: 5/2/17



Attorney for Debtor



Debtor, Christopher M. Shearer



Joint Debtor, Fedra C. Shearer